

AO 91 (Rev. 11/11) Criminal Complaint (modified by USAO for telephone or other reliable electronic means)

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

United States of America

v.

Kristian Dion MCDANIEL

Case No. 2:22-mj-143

Defendant(s)

CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 23, 2022 in the county of Franklin in the
Southern District of Ohio, the defendant(s) violated:

Code Section
18 USC 922(g)(1)

Offense Description
Knowingly Possess a Firearm by a Convicted Felon

This criminal complaint is based on these facts:


SEE ATTACHED

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence.

Date: 3/3/2022

City and state: Columbus Ohio



Complainant's signature

S. Chappell ATF TFO

Printed name and title



Chelsey M. Vascara
United States Magistrate Judge

Judge's signature

US Magistrate Judge

Printed name and title

PROBABLE CAUSE AFFIDAVIT
Kristian Dion MCDANIEL

I, Samuel Chappell, being duly sworn, depose and state that:

1. I have been an Officer with the Columbus Division of Police (CPD) since 2007. I have been assigned to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) as a Task Force Officer (TFO) since 2017. As a result of my training and experience, I am familiar with state and federal laws pertaining to firearms and narcotics violations, among other offenses.
2. This affidavit is being submitted in support of an application for a criminal complaint against Kristian Dion MCDANIEL (hereafter referred to as MCDANIEL) for knowing he had been previously convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a firearm, and the firearm was in and affecting interstate and foreign commerce, In violation of 18 U.S.C. 922(g)(1) and 924(a).
3. The facts set forth within this affidavit come from the Affiant's own personal involvement with the investigation, as well as information provided by other law enforcement officers and reports. The information outlined below does not contain all details or all facts of which I am aware relating to this investigation but rather is provided for the limited purpose of establishing probable cause that MCDANIEL committed this offence.
4. On or about January 23, 2022, uniformed Columbus Division of Police officers were on patrol near Race Ave. and Dexter Ave. Officer observed a male later identified as Kristian MCDANIEL begin to run when he saw officers. The male ran to a parking lot and was observed picking up what appeared to be a long gun.
5. MCDANIEL ran into 656 Dexter Ave. Officers could hear loud noises from inside the home. Officers attempted to contact anyone inside the residence. Officers could hear a male yelling. A call then came into dispatch reporting a disturbance inside of 656 Dexter Ave. Officers could hear a woman arguing with a male inside the residence.
6. The elderly woman identified as Ozella Jennings eventually opened the door and told officers that her grandson MCDANIEL was acting out of his mind. MCDANIEL kept trying to close the door while Jennings was attempting to speak with officers. MCDANIEL closed the door and officers could hear Jennings cry out in pain and for help/ Officers pushed the door open and attempted to detain MCDANIEL who fled to the basement.
7. Once in the basement officers observed the firearm seen earlier lying on a mattress near where MCDANIL was attempting to hide. Officers were able to detain MCDANIEL.
8. Officers were told by Jennings that MCDANIEL was the only person that lived in the basement. Officers found that the shotgun in the basement was a 12-gauge Savage Arms model 67 shotgun bearing serial 430180. Officers found assorted ammunition and a 9mm pistol magazine at the scene.

PROBABLE CAUSE AFFIDAVIT**Kristian Dion MCDANIEL**

9. MCDANIEL was prohibited from possession of a firearm based upon having been previously convicted of the following crime punishable by a term of imprisonment exceeding one year:
- US District Court for the Southern District of Ohio case 2:12CR258 for possession of a firearm after a felony conviction.
 - Franklin County Ohio Court of Common Pleas case 12CR000807 for weapons under disability.
 - Franklin County Ohio Court of Common Pleas case 16CR004683 for weapons under disability.
10. Records from the Franklin County, Ohio Court of Common Pleas Case 16CR004683 show that on or about December 6, 2016, MCDANIEL signed a guilty plea. This plea indicated that MCDANIEL understood the maximum penalty for the crime he was pleading guilty to was thirty-six (36) months of incarceration.
11. Your Affiant confirmed via ATF resources that the aforementioned firearm possessed by MCDANIEL on or about January 23, 2022, was not manufactured in the State of Ohio and therefore had previously traveled in interstate commerce to reach the State of Ohio.
12. The aforementioned offenses occurred in Franklin County, Ohio, in the Southern Judicial District of Ohio.
13. Based on this information, your affiant believes probable cause exists that MCDANIEL knowing he had been previously convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed firearms, that is, a 12-gauge Savage Arms model 67 shotgun bearing serial 430180 and the firearm was in and affecting interstate and foreign commerce, in violation of Title 18, United States Code, 922(g)(1) and 924(a)(2).


ATF TFO Samuel Chappell

Sworn to and subscribed before me this day of 3rd, March 2022, at _____ Columbus, Ohio.


U.S. MAGISTRATE JUDGE